

U.S. Application No.: 09/830,732  
AMENDMENT A

Attorney Docket: 2368.119

*C/pt* 17. A case-safe system according to Claim 10, wherein the housing and/or the case is comprised of steel, cast aluminum or extruded metal parts.

18. A case-safe system (10) according to Claim 10, wherein the stationary housing comprises multiple housings connectable with each other.

**REMARKS**

Review and reconsideration of the Office Action of July 12, 2003, is respectfully requested in view of the above amendment and the following remarks.

Claims have been amended to overcome all the formalities rejections.

Claim 15 has been re-written in independent form.

No new matter has been added to the claims.

Applicant reviewed the West and GB '599 references and note that compared with Claim 10, both references fail to teach **locking boreholes for locking and for receiving locking bolts associated with the case.**

Applicant also notes that in the claims of the present invention, the case is provided with first locking boreholes for receiving locking bolts that are provided in the case. Thus, the case can be introduced and locked to the housing providing a double security system; one system for locking of the case itself, and one system for locking into the housing.

Further, Applicant notes that the GB'599 reference discloses a security box comprising a housing, a drawer having a lock in combination with locking pins 17. Applicant also notes that in

U.S. Application No.: 09/830,732  
AMENDMENT A

Attorney Docket: 2368.119

the reference, the locking pins are part of the independent lock system and not associated with the case.

Further, Applicant notes that the combination of the lock and locking pin of the GB'599 reference is equal to the security locking system 28 of the present invention. Thus, the GB'599 reference **also fails to teach the locking boreholes for locking and for receiving locking bolts associated with the case in addition to the independent locking system.**

None of the references teach **the locking boreholes for locking and for receiving locking bolts associated with the case in addition to the independent locking system as required by the claims.** Thus, even if the references are combined, this limitation will not be disclosed.

Turning now to the Office Action in greater detail, the paragraphing of the Examiner is adopted.

The Examiner has acknowledged Applicant's claim for foreign priority under 35 U.S.C. §119 and receipt of the certified copy of the priority document. Further, the Examiner acknowledges receipt of a claim for domestic priority under 35 U.S.C. §§120 and/or 121.

#### **Present Invention**

The present invention concerns to a case-safe system comprising:

a stationary housing adapted to be secured in closets, on walls or in vehicles, in boats, in air planes and in bank safes,

a case adapted for being received in the housing, wherein the case can be inserted and barricaded or locked,

wherein the housing includes **first locking boreholes for locking and for receiving locking bolts associated with the case**, and the case is provided with its own independent security locking system (Claim 10).

The case-safe system, according to the present invention, includes a concealment covering and/or a shield.

**Paragraphs 1 - 4 (Formalities)**

The Examiner rejects Claims 10-18 under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention.

Regarding Claim 1, the phrase "or the like" renders the claim indefinite because the claim includes elements not disclosed.

In response, Applicant has amended the claim by deleting the terminology "or the like" from the claim.

Regarding Claim 13, there is insufficient antecedent basis for the limitation "the housing or housings" in line 12 of the claim. Only a single housing has been provided for, not multiple housings.

In response, Applicant has amended the claim by deleting the terminology "or housings" from the claim.

Regarding Claim 13, line 12, it provides that the housing include "boreholes". It is unclear if these boreholes are the same as the boreholes claimed in Claim 10, or if they are a new set of boreholes. The Examiner suggests adding a descriptive term or terms to the "boreholes" of Claim 13 to help distinguish between the boreholes of Claim 13 from the boreholes of Claim 10.

U.S. Application No.: 09/830,732  
AMENDMENT A

Attorney Docket: 2368.119

In response, Applicant has amended the claim to overcome the rejection.

Regarding Claims 11-18, the Examiner indicated that the claims depend from rejected Claim 10 and included all the limitations of Claim 10.

Applicant would like to point out to the Examiner that the claims have been amended to overcome the formalities rejection.

Accordingly, withdrawal of the rejection is respectfully requested.

**Paragraph 5 (Obviousness)**

The Examiner rejects Claims 10, 11, and 15-17 under 35 U.S.C. 103(a) as being obvious over West (U.S. Patent No. 4,452,390) in view of GB 2039599 (GB '599).

According to the Examiner, West discloses a portable security container comprising a stationary housing (11) adapted to be secured in closets, on walls or in vehicles, in boats, in airplanes and in bank safes, in which a case (14) adapted for being received in the housing (11) can be inserted and barricaded or locked, and that the case is provided with its own independent security locking system (25, 28).

The Examiner also indicated that the West reference also discloses that the independent locking system is a lock with a key (25), and that the housing (11) includes a concealment covering (12).

The Examiner recognized that the West reference does not disclose the housing to include locking boreholes for locking and for receiving locking bolts associated with the case.

Further, the Examiner indicated that GB'599 discloses a housing (11) that includes locking boreholes (23) for locking and for receiving locking bolts (17) associated with the case (12) in order to secure the case in the closed position (page 1, lines 26-30).

The Examiner also indicated that US Patent No. 4,688,493 to Brush Jr. et al. is cited as an evidence reference. Brush et al. shows a fire resistant safe that has steel outer body.

The Examiner is of the opinion that it would have been obvious to one of ordinary skill in the art at the time the invention was made to include the locking boreholes of the housing of GB'599 and the locking bolts of the case of GB'599 in the housing and in the case of West, to secure the case in the housing.

Applicant respectfully traverses.

Applicant reviewed the West reference and notes that compared with Claim 10, the reference fails to teach **locking boreholes for locking and for receiving locking bolts associated with the case.**

Applicant also notes that in the present invention, the case is provided with locking boreholes for receiving locking bolts that are provided in the case. Thus, the case can be introduced and locked to the housing providing a double security system, one system for locking of the case itself, and one system for locking into the housing.

26 { Further, Applicant notes that the GB'599 reference discloses a security box comprising a housing, a drawer having a lock in combination with locking pins 17. Applicant also notes that in the reference, the locking pins are part of the independent lock system and not associated with the case.

Further, Applicant notes that the combination of the lock and locking pin of the GB'599 reference is equal to the security locking system 28 of the present invention. Thus, the GB'599 reference **also fails to teach the locking boreholes for locking and for receiving locking bolts associated with the case in addition to the independent locking system.**

None of the references teaches **the locking boreholes for locking and for receiving locking bolts associated with the case in addition to the independent locking system as required by the claims.** Thus, even if the references are combined, this limitation will no be disclosed.

Claim 15 has been re-written in independent form.

Applicant notes that compared with amended Claim 15, neither West nor GB'599 nor Brush Jr. et al. discloses a concealment covering and/or a shield to camouflage the safe.

The GB'599 reference is adapted to be hidden in a drawer or behind a painting; thus, there is not any technical motivation to camouflage the safe.

Accordingly, withdrawal of the rejection is respectfully requested.

**Paragraph 6 (Obviousness)**

The Examiner rejects Claim 12 under 35 U.S.C. 103(a) as being obvious over West in view of GB '599 as applied to Claim 10 above, and further in view of Johnson et al. (U.S. Patent No. 2,819,692).

The Examiner indicates that neither West nor GB '599 discloses that the locking boreholes are provided with reinforcements. However, Johnson et al. discloses locking boreholes that are provided with reinforcements (45, 46) for the

U.S. Application No.: 09/830,732  
AMENDMENT A

Attorney Docket: 2368.119

purpose of guiding the locking bars (43, 44, Col. 3, lines 14-16). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to include the reinforcements (45, 46) of Johnson et al. in the housing (11) of West to reinforce the locking boreholes.

Applicant respectfully traverses for the same reasons set forth in paragraph 5 and the following remarks.

Claim 12 is novel in view of its dependency with novel Claim 10.

Accordingly, withdrawal of the rejection is respectfully requested.

**Paragraph 7 (Obviousness)**

The Examiner rejects Claims 13 and 18 under 35 U.S.C. 103(a) as being obvious over West in view of GB '599 as applied to Claim 10 above, and further in view of Lai (U.S. Patent No. 5,740,906).

The Examiner indicated that neither West nor GB'599 discloses that the housing include boreholes for a locking rod or bar, or that multiple housings are connected to each other.

The Examiner indicated that Lai discloses a housing with a borehole for a locking rod for the purpose of fixing multiple housings with respect to each other. According to the Examiner, Lai also discloses multiple housings that are connecting to each other to increase the height of the container.

Applicant respectfully traverses.

Applicant reviewed the Lai reference and notes that the reference is directed to multiple container stands for holding stationary goods. The reference is directed to non-analogous art.

"Section 103 requires us to presume full knowledge by the

inventor (more properly, of the person of ordinary skill in the art) of the prior art in the field of his endeavor... but it does not require us to presume full knowledge by the inventor of prior art outside the field of his endeavor, i.e., of "nonanalogous" art. In that respect, it only requires us to presume that the inventor would have had that ability to select and utilize knowledge from other arts reasonably pertinent to his particular problem which would be expected of a man of ordinary skill in the art to which the subject matter pertains. 151 USPQ at 287."

Applicant also notes that the reference fails to disclose a housing mounted on the wall or ceiling.

Neither the West reference nor the GB'599 reference has any technical motivation to increase the size of the safe if they are designed to be placed inside a drawer (GB'599) or to be designed as a portable safe (West).

Accordingly, withdrawal of the rejection is respectfully requested.

**Paragraph 8 (Obviousness)**

The Examiner rejects Claim 14 under 35 U.S.C. 103(a) as being obvious over West in view of GB '599 in view of Lai as applied to Claim 13 above, and further in view of Jakubas (U.S. Patent No. 5,199,286).

Applicant respectfully traverses for the same reasons set forth in paragraph 7.

The Examiner considers the prior art made of record and not relied upon pertinent to Applicant's disclosure.

Applicant has no further comments on the remaining references.

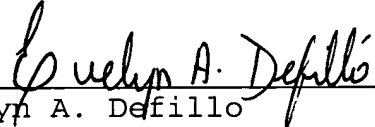


U.S. Application No.: 09/830,732  
AMENDMENT A

Attorney Docket: 2368.119

Favorable consideration and early issuance of the Notice of Allowance are respectfully requested. Should further issues remain prior to allowance, the Examiner is respectfully requested to contact the undersigned at the indicated telephone number.

Respectfully submitted,

  
Evelyn A. Defillo  
Registration No. 45,630

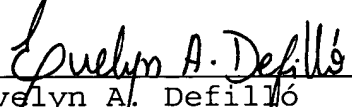
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Date: **January 13, 2003**

**CERTIFICATE OF MAILING AND AUTHORIZATION TO CHARGE**

I hereby certify that the foregoing AMENDMENT A for U.S. Application No. 09/830,732 filed August 17, 2001, was deposited in first class U.S. mail, postage prepaid, addressed: Attn: Commissioner of Patents and Trademarks, Washington, D.C. 20231, on **January 13, 2003**.

The Commissioner is hereby authorized to charge any additional fees, which may be required at any time during the prosecution of this application without specific authorization, or credit any overpayment, to Deposit Account No. 16-0877.

  
Evelyn A. Defillo

U.S. Application No.: 09/830,732  
AMENDMENT A

Attorney Docket: 2368.119

**VERSION WITH MARKINGS TO SHOW CHANGES MADE HEREBY ATTACHED**

The Examiner is requested to accept the marked-up version as it is based on the previous version, which when modified as below, produces the clean version submitted with the current amendment.

**IN THE CLAIMS**

Please amend the claims as follows:

10. (Once amended) A [Case-safe] case-safe system [(10)] comprising:

a stationary housing [(12),] adapted to be secured in closets, on walls or in vehicles, in boats, in air planes and in bank safes [or the like],

[in which] a case [(14)] adapted for being received in the housing [(12)], wherein the case can be inserted and barricaded or locked,

wherein the housing [(12)] includes first locking boreholes [(22)] for locking and for receiving locking bolts [(24)] associated with the case [(14)], and that the case [(14)] is provided with its own independent security locking system [(28)].

11. (Once amended) A case-safe [Case-safe] system [(10)] according to Claim 10, wherein the security locking system [(28)] is a lock with key, a combination lock, a magnetic card lock or a electronic lock.

12. (Once amended) A case-safe [Case-safe] system (10) according to Claim 10, wherein the first locking boreholes [(22)] are provided with reinforcements [(23)].

13. (Once amended) A case-safe [Case-safe] system (10) according to Claim 10, wherein the housing [or housings (12)] include<sup>15</sup> second locking boreholes [(18)] for a locking rod or bar [(20)].

14. (Once amended) A case-safe [Case-safe] system [(10)] according to Claim 13, wherein the locking rod or bar [(20)] can be secured with a lock [(26)].

15. (Once amended) A case-safe system comprising:  
a stationary housing adapted to be secured in closets, on walls or in vehicles, in boats, in air planes and in bank safes,  
a case adapted for being received in the housing, wherein the case can be inserted and barricaded or locked,  
wherein the housing includes first locking boreholes for locking and for receiving locking bolts associated with the case, and that the case is provided with its own independent security locking system;

[Case-safe system [(10)] according to Claim 10,] wherein the housing [(12)] includes a concealment covering [(30)] and/or a shield [(16)].

16. (Once amended) A case-safe [Case-safe] system [(10)] according to Claim 10, wherein the housing [(12)] and/or the case [(14)] is comprised of a fire resistant material.

17. (Once amended) A case-safe [Case-safe] system [(10)] according to Claim 10, wherein the housing [(12)] and/or the case [(14)] is comprised of steel, cast aluminum or extruded metal parts.

U.S. Application No.: 09/830,732  
AMENDMENT A

Attorney Docket: 2368.119

18. (Once amended) A case-safe [Case-safe] system (10) according to Claim 10, wherein the stationary housing comprises multiple housings [(12) are] connectable with each other.